

## Message Text

CONFIDENTIAL

PAGE 01 SAN JO 03478 162032Z  
ACTION ARA-14

INFO OCT-01 IO-13 ISO-00 CPR-03 SS-15 SSO-00 NSCE-00  
INRE-00 ICAE-00 CIAE-00 DODE-00 INR-10 NSAE-00  
PA-01 SP-02 NEA-10 /069 W  
-----110077 162037Z /62

O R 161955Z AUG 78  
FM AMEMBASSY SAN JOSE  
TO SECSTATE WASHDC IMMEDIATE 1960  
INFO USMISSION USUN NY

C O N F I D E N T I A L SAN JOSE 3478

E.O.11652: GDS  
TAGS: PDIF, CS  
SUBJECT: COSTA RICA LIFTS IMMUNITY OF FORMER AMBASSADOR TO ISRAEL

REF: A) USUN 03059, B) SAN JOSE 3216

1. BY FIRST-PERSON DIPLOMATIC NOTE DATED AUGUST 14, BUT DELIVERED  
AUGUST 16 ACTING FOREIGN MINISTER BERND NIEHAUS NOTIFIED EMBASSY  
THAT THE GOCR HAS DECIDED TO LIFT DIPLOMATIC IMMUNITY OF AMBASSADOR  
BENJAMIN NUNEZ VARGAS WITH RESPECT TO THE SHOP-LIFTING INCI-  
DENT OF JULY 28.

2. TEXT OF NOTE FOLLOWS:

BEGIN TEXT

SEÑOR EMBAJADOR:

TENGO EL HONOR DE DIRIGIRME A VUESTRA EXCELENCIA EN  
RELACION CON EL PENOSO CASO EN QUE SE VIO ENVUELTO EL SEÑOR  
BENJAMIN NUNEZ VARGAS, EX-EMBAJADOR DE COSTA RICA EN ISRAEL.

EL GOBIERNO DE COSTA RICA, UNA VEZ OBSERVADAS POR  
EL ILLUSTRADO GOBIERNO DE VUESTRA EXCELENCIA, LAS REGLAS DE  
DERECHO DIPLOMATICO QUE RIGEN LA MATERIA, COMO SIEMPRE HA  
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SIDO LA PRATICA EN LOS ESTADOS UNIDOS DE AMERICA,  
CONSCIENTE DE LA GRAVEDAD DEL HECHO COMETIDO, Y PARA  
NO ENTORPECER LA ADMINISTRACION DE LA JUSTICIA, HA  
DECIDIDO LEVANTAR LA INMUNIDAD AL SEÑOR NUNEZ VARGAS  
PARA QUE RESPONDA A LOS CARGOS QUE SE LE IMPUTAN, Y  
SOLICITA SE COMUNIQUE ASI A LAS AUTORIDADES CORRES-  
PONDIENTES.

REITERO A VUESTRA EXCELENCIA LAS SEGURIDADES DE  
MI H S DISTINGUIDA CONSIDERACION.

(SIGNED) BERND H. NIEHAUS Q.  
MINISTRO A.I.

END TEXT

3. THE ACTING DIRECTOR OF FOREIGN POLICY ADVISED THE  
EMBASSY ON AUGUST 16 THAT THE GOCR WAS GRATIFIED  
THAT THE USG HAD RECOGNIZED THAT AMBASSADOR NUNEZ WAS  
ENTITLED TO IMMUNITY UNDER ARTICLE 40 OF THE VIENNA  
CONVENTION. THE PRINCIPLE OF DIPLOMATIC IMMUNITY  
HAVING BEEN OBSERVED, THE GOCR HAD DECIDED THAT IN THE  
INTERESTS OF JUSTICE, AMBASSADOR NUNEZ SHOULD BE ALLOWED TO  
FACE PROSECUTION ON ANY CHARGES ARISING FROM  
THE INCIDENT OF JULY 28.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PRIVILEGES, AMBASSADORS, ARRESTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978SANJO03478  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780335-0835  
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**From:** SAN JOSE  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 10f78662-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION ARA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 USUN NEW YORK 3059, 78 SAN JOSE 3216  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 22 jun 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1722103  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** COSTA RICA LIFTS IMMUNITY OF FORMER AMBASSADOR TO ISRAEL  
**TAGS:** PDIP, CS, (NUNEZ VARGAS, BENJAMIN)  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/10f78662-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014